

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHELLE EHLTS,)
Plaintiff,)
vs.)
JO ANNE B. BARNHART,)
Commissioner of Social Security,)
Defendant.)
Case No. 4:04CV1293MLM

MEMORANDUM AND ORDER

This matter is before the court on Plaintiff's Motion for Award of Attorney Fees Pursant to the Equal Access to Justice Act, 28 U.S.C. §2412(d) . [Doc. 21] Defendant has responded and does not contest plaintiff's request. [Doc. 22]

On May 2, 2005 this court entered Final Judgment reversing and remanding plaintiff's case to the Commissioner pursuant to sentence 4 of 42 U.S.C. § 405(g). Therefore plaintiff is a "prevailing party" for EAJA purposes. The government has responded to plaintiff's Application and indicates that the government has no objection to an award of attorney fees in the amount of \$2,300.00.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Award of Attorney Fees Pursuant to the Equal Access to Justice Act, 28 U.S.C. §2412(d) is **GRANTED** . [Doc. 21]

IT IS FURTHER ORDERED that plaintiff be awarded attorney fees in the amount of \$2,300.00.

/s/Mary Ann L. Medler
MARY ANN L. MEDLER
UNITED STATES MAGISTRATE JUDGE

Dated this 11th day of August, 2005.